

One Hundred Ninth Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,
the fourth day of January, two thousand and five*

An Act

To amend the Passport Act of June 4, 1920, to authorize the Secretary of State to establish and collect a surcharge to cover the costs of meeting the increased demand for passports as a result of actions taken to comply with section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Passport Services Enhancement Act of 2005”.

SEC. 2. AUTHORITY OF SECRETARY OF STATE TO ESTABLISH AND COLLECT A SURCHARGE TO COVER THE COSTS OF MEETING THE INCREASED DEMAND FOR PASSPORTS.

Section 1 of the Passport Act of June 4, 1920 (22 U.S.C. 214) is amended—

(1) in the first sentence, by striking “There shall be collected and paid” and inserting “(a) There shall be collected and paid”; and

(2) by adding at the end the following new subsection:

“(b)(1) The Secretary of State may by regulation establish and collect a surcharge on applicable fees for the filing of each application for a passport in order to cover the costs of meeting the increased demand for passports as a result of actions taken to comply with section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note). Such surcharge shall be in addition to the fees provided for in subsection (a) and in addition to the surcharges or fees otherwise authorized by law and shall be deposited as an offsetting collection to the appropriate Department of State appropriation, to remain available until expended for the purposes of meeting such costs.

“(2) The authority to collect the surcharge provided under paragraph (1) may not be exercised after September 30, 2010.

“(3) The Secretary of State shall ensure that, to the extent practicable, the total cost of a passport application during fiscal years 2006 and 2007, including the surcharge authorized under

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paragraph (1), shall not exceed the cost of the passport application as of December 1, 2005.”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*